

REMARKS

The Office Action of June 10, 2009 has been carefully studied. The history of this application comprises a withdrawn Notice Of Allowance based on references submitted by the Applicant in an Information Disclosure Statement after the Notice Of Allowance was received. Certain references were not evaluated by the Examiner because they were publications or foreign references not submitted to the Examiner. It is seen that accompanying this amendment is a Supplemental Information Disclosure Statement which supplies the missing references, except for the Chinese reference for which a full translation is not presently available. Instead, a Derwent Abstract is supplied which discloses a cracking catalyst comprised of 5-45 weight percent of Y-zeolite, 0-50% of ZSM-5 zeolite and 40-70% of mordenite and clinoptilolite. In contrast, Applicants' claims 1 and 2 require unobviously different percentages of the Y-zeolite and the clinoptilolite zeolite. In addition, newly added claims 12-20 are clearly not suggested by this reference.

As for the other references cited in the IDS, it may be helpful to the Examiner to note that in WO 40591, page 24, paragraph [0070] discloses mixtures, page 30, discloses a particular mixture of clinoptilolite and zeolite 13X for adsorbing CO₂ and page 32, a mixture of clinoptilolite and zeolite 5A for adsorbing hydrocarbons. Applicants do not claim these disclosures to be the only relevant parts of the reference since the Examiner is required to evaluate the reference independently and may find additional disclosures. The same is true with cited reference WO/10314 which on page 3, lines 29-32 discloses a mixture of clinoptilolite plus a Y-zeolite and in Example 1, discloses a cracking catalyst of 15% clinoptilolite, 10USY zeolite, 20% silica sol binder and 55% clay. In Example 2, it appears that this catalyst is incorporated with an FCC zeolite.

By inspection, it is seen that neither the newly submitted references nor the reference cited by the Examiner U.S. 3,411,888 which incidentally should have been characterized as Westerland et al. instead of Drost who is the second inventor. This latter reference is directed to heterogeneous virgin materials which in their naturally occurring form contain primarily

mordenite, erionite or chabazite alone or with clinoptilolite and phillipsite. (Column 6, lines 56-62.)

Also, referring to the Ackley et al. review entitled "Application Of Natural Zeolites In the Purification And Separation Of Gases", it can be seen from the table of patents on page 29 and the 109 references set forth on pages 41 and 42, that the utilization of natural zeolites has been extensively researched, i.e. a highly crowded art.

Nevertheless, on information and belief, the prior art does not suggest the presently claimed compositions and methods. U.S. 3,411,888 does not suggest a mixture of natural zeolites from two different sources as set out in present claim 1. Much less does the reference suggest the quantitative proportions set forth in claims 1 and 2.

With respect to the dependent claims, they are supported, for example, by page 5, lines 31 and 32, page 6, lines 8 and 9, page 5, lines 11-19, page 5, lines 24-28 and the examples.

It is seen that Applicants have conducted many experiments which have resulted in unobvious mixtures which are useable for a variety of purposes, for example diminishing the formation of COS, adsorbing water, and adsorbing carbon dioxide.

In view of this submission and the attached Supplemental Information Disclosure Statement, reconsideration is courteously requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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